

Agenda Item No. 3.1
For Agenda of 9-26-06



Tigard City Council Meeting Minutes

Date: September 12, 2006
Time: 6:30 p.m.
Place: Tigard City Hall, 13125 SW Hall Boulevard
Tigard, Oregon
Attending: Mayor Craig Dirksen Presiding
Councilor Sally Harding
Councilor Sydney Sherwood
Councilor Nick Wilson
Absent: Councilor Tom Woodruff

Agenda Item	Discussion & Comments	Action Items (follow up)
Study Session	<p>➤ Consideration of Cost-of-Living Adjustment for Management/Professional Group</p> <p>Human Resources Director Zodrow reviewed this item with the City Council. TPOA, per contract, received a 3.2 percent cost-of-living adjustment on July 1, 2006, and the SEIU-represented group of City employees will receive the same increase on October 1, 2006.</p> <p>City Council members discussed briefly whether to direct staff to prepare an item for a future City Council agenda to grant the management/professional group a 3.2 percent cost-of-living adjustment, effective October 1, 2006. Council comments were favorable to granting the adjustment based on past practice to provide an increase consistent with that provided to the SEIU/OPEU bargaining unit.</p> <p>➤ Update on Washington County Cooperative Library Services (WCCLS) Levy</p> <p>Library Director Barnes updated City Council with information on the communication plans for the upcoming Washington County Cooperative Library Levy. She distributed samples of communication brochures and information cards. She also described the types of meetings and</p>	<p>Staff will prepare an agenda item for future City Council consideration to grant the City's management/professional group a 3.2 percent cost-of-living adjustment, effective October 1, 2006.</p>

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	<p>events where factual information will be provided. About \$100,000/year of additional revenue is estimated to be received by the Tigard Public Library if the levy passes. This funding could restore library open hours, fund additional programs, and be used to purchase more books/library materials. Some of the written materials will be applicable to the City of Tigard library while other pieces would apply county-wide. Tigard-specific information has been reviewed by the City's legal counsel. County-wide information will be reviewed by the Oregon Secretary of State's office.</p> <p>➤ Discuss 2006/07 Pavement Major Maintenance Program – Phase 1 Contract</p> <p>Community Development Director Coffee reviewed with the City Council information contained in an August 31, 2006, memorandum from City Engineer Gus Duenas on this item. Morse Brothers, Inc. was awarded the 2006/07 Pavement Major Maintenance Program – Phase 1 contract. As explained in the memo, the bid was significantly lower than the Engineer's estimate, which means that a number of additional projects can be added to this phase.</p> <p>➤ Discuss Significant Increases for Highway Construction Costs – City Projects</p> <p>Community Development Director Coffee noted a full discussion was not needed on this topic, but wanted to point out increased construction costs will have an impact on City projects.</p>	<p>Council will consider formally approving a proposed contract amendment to perform the additional work as outlined in the City Engineer's memorandum.</p>
Study Session continued... Administrative Items	<p>➤ Paul Owen introduced his replacement, Darlene Young, the Summerfield Liaison to the City Council. Mr. Owen said he would continue to review water issues. Council members thanked Mr. Owen for his service and welcomed Ms. Young.</p> <p>➤ TriMet – Commuter Rail Groundbreaking: October 25, 10:30 – 11:30 a.m.; Tigard Commuter Rail Station. Mayor Dirksen, the Governor and</p>	

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	<p>Senators are scheduled to speak. Councilor Sherwood said she would attend and Councilor Wilson said he would check his schedule and try to attend. TriMet is also planning to hold its Board meeting at Tigard City Hall that day.</p> <p>Mayor Dirksen noted that Washington County Chair Brian has urged City of Tigard to send representatives to the annual "Railvolution" conference as this forum provides good information about commuter rail projects including funding availability. Councilor Wilson said he would be willing to attend.</p> <ul style="list-style-type: none"> ➤ League of Oregon Cities Conference: September 28-30, Portland Marriott Downtown. Mayor Dirksen and Councilor Woodruff plan to attend. Councilor Sherwood said she would attend for part of the conference. ➤ League of Oregon Cities Hospitality Suite – Hosted by Mayor Dirksen on Thursday, September 28, 5-9 p.m. Staff is preparing some displays of Tigard projects. ➤ City Hall Day: October 19, 7-9 p.m., Town Hall This event will be jointly sponsored by City of Tigard and League of Oregon Cities. Legislative candidates are invited to attend. This will provide an opportunity for elected officials and City Council candidates to ask questions. The program might be recorded for cable television rebroadcast. After discussion, City Council members agreed that the City of Beaverton could also participate. Mayor Dirksen requested efforts be made to make sure that all candidates have an opportunity to speak. ➤ New laptops are set for wi-fi. ➤ Family Festival Update <p>Assistant City Manager Newton reviewed the Festival events held last weekend, including a movie night for middle-school-age children, a "run," genealogy research assistance, and a great</p>	<p>A draft agenda for this event will be prepared by City staff for the Mayor's review.</p>

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	<p>fireworks display. Staff made notes on what went well and what could be done better for next year.</p> <p>➤ National League of Cities Conference: December 5-9, 2006, Reno, Nevada. Mayor Dirksen advised he would attend. Council-candidate Buehner advised she would like to go if elected and Mayor Dirksen recommended that she attend the leadership sessions if possible. Councilor Harding said she would prefer to attend the leadership conference sessions; she will review the information and advise staff of the sessions she selects.</p> <p>➤ The next 5th Tuesday is October 31, 2006 (Halloween). Council decided to cancel this meeting. There was discussion on the low attendance at the 5th Tuesday meetings and whether to continue with them.</p> <p>➤ Discuss Commuter Railroad Crossing Plans for Main Street and Bonita Road (see September 7, 2006, memorandum from City Engineer Duenas)</p> <p>Community Development Director Coffee discussed this item with the City Council. City Engineer Duenas's memo noted safety concerns for these streets with commuter trains traveling at 50 to 60 miles per hour. Both TriMet and ODOT Rail Division officials are extremely concerned about crossings where left-turning vehicles can block through traffic resulting in vehicles trapped on the tracks and unable to</p>	<p>Mayor Dirksen said he would prefer to continue to hold the meetings stating he thinks citizens appreciate knowing there is this opportunity to talk to the City Council. He suggested providing a way for people to contact the City (e-mail or leaving a telephone message) to sign up for a topic at an upcoming 5th Tuesday. Assistant City Manager Newton suggested the 5th Tuesday meetings be reviewed during the Council's goal-setting session in January.</p> <p>City Council asked staff to check on signalization plans to assure that the intersections will be clear of vehicles when trains travel through.</p>

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	<p>move. It was recommended that medians be installed as described in City Engineer Duenas's memorandum.</p> <p>Councilor Sherwood noted this is a huge safety concern for the crossing at Bonita Road. Mayor Dirksen pointed out that a no-left-turn on Main would be too restrictive and said that because there is a station at this location, the train would either be slowing down or stopping.</p> <p>➤ Ballot measures were discussed briefly. Mayor Dirksen noted that City Council members were asked to "weigh-in" on Measure 41. Mayor Dirksen indicated he would support the County's safety levy.</p>	
Executive Session	<p>The Tigard City Council went into Executive Session at 7:17 p.m. to consult with legal counsel regarding litigation likely to be filed under ORS 192.660(2)(h).</p> <p>Executive Session concluded at 7:28 p.m.</p>	
Additional Study Session Discussion	<p>➤ Council members received a copy of an argument opposing the City of Bull Mountain incorporation prepared by Mr. Phil Decker for the Voter's Pamphlet.</p> <p>➤ Mayor Dirksen reminded City Council members to review the draft City Center Advisory Commission By-Laws scheduled for discussion at the September 19, 2006, City Council meeting.</p>	
Business Meeting	<p>1.1 Mayor Dirksen called the City Council and Local Contract Review Board to Order at 7:34 p.m.</p> <p>1.2 Council Present: Mayor Dirksen, Councilors Harding, Sherwood, and Wilson.</p> <p>1.3 Pledge of Allegiance</p> <p>1.4 Council Communications & Liaison Reports</p> <p>Councilor Harding reported on the Washington County Coordinating Committee (WCCC) meeting</p>	

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	<p>held last week. WCCC is still trying to identify funding for transportation projects. The Committee is now considering a trip to Washington DC in March rather than October. In October, they are considering hosting a meeting with Senators while they are in this area to attend the Commuter Rail Groundbreaking. The Committee is trying to develop a formula to equitably distribute gas tax funds if that is an option chosen as a funding source. The Committee is still considering traffic impact fees and a possible "MTIP-type" of ballot measure. There is no "concrete direction" decided upon at this time.</p> <p>Councilor Harding gave an update on Goal 5. Tigard is on target with adopting the Program. The Program Implementation Report is out in preliminary draft form. This will be considered for adoption after October. There is still time left to comment and if anyone has an interest in this, they should contact Washington County for a copy.</p> <p>1.5 Call to Council and Staff for Non-Agenda Items</p> <p>None</p> <p>Mayor Dirksen announced that Agenda Item No. 3, to honor the Murrayhill Little League All Star Baseball Team, would not occur this evening due to a scheduling conflict.</p>	
2. Proclamations	<p>Mayor Dirksen announced the following Proclamations:</p> <p>2.1 Proclaim September 17-23, 2006, as Constitution Week</p> <p>2.2 Proclaim September as National Drug Addiction Recovery Month</p>	
3. Murrayhill Little League All Star Baseball Team	Cancelled.	
4. Presentation from the Friends of the Tualatin River	Mr. Norm Penner, representing the Friends of the Tualatin River National Wildlife Refuge presented the Mayor and City Council with a framed print of an American Bittern as an expression of	

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National Wildlife Refuge	<p>appreciation for Tigard's support for the Grand Opening Ceremony of the Refuge held on June 3, 2006. The Mayor and City Council extended their thanks to the volunteer efforts of Mr. Penner and the Friends. Mayor Dirksen said he had been honored to be part of the Grand Opening.</p> <p>Construction of the new Visitor Center is underway.</p>	
5. Citizen Communication	<p>- Tigard High School Student Envoy Jasmina Dizdarevik presented her first update of the school year to the City Council. A copy of her report is on file in the City Recorder's office.</p> <p>- Marland Henderson, 11795 SW Katherine Street, Tigard, OR said he was speaking to the Council to bring awareness of the plight of the mentally ill and their families to everyone's attention. He referenced the Mayor's proclamation of September as National Alcohol and Drug Addiction Recovery Month and advised that 85 percent of those with serious drug and alcohol addictions are also affected by mental illness. He spoke to efforts grounded in "evidence-based practices" whereby support is given to programs that can document their success. Programs are under funded.</p> <p>Councilor Sherwood advised Mr. Henderson that next Tuesday Mr. Howard Spanbock of Luke Dorf, Inc. will brief the Council on mental health and substance abuse services available in Tigard, Washington County and the metro area.</p> <p>City of Tigard and the League of Oregon Cities will host "City Hall Day" on October 19 for people to bring up issues to state legislative candidates. Funding for mental health programs would be a good topic to discuss with the candidates.</p> <p>- Mr. Marvin Bowen, 12562 SW Main Street, Tigard OR 97232 advised he plans to open a Brew Pub on Main Street in about two months. He noted issues with people parking on the street for long periods of time and that parking time limits are not enforced by the Police Department and requested the City Council consider directing enforcement. Mayor</p>	

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	Dirksen noted that parking issues have come up on Main Street and it would be good to review the situation downtown. This will be brought to the attention of Police Chief Dickinson.									
6. Consent Agenda	<p>6.1 Approve Council Minutes for August 8, and 15, 2006</p> <p>6.2 Receive and File:</p> <ul style="list-style-type: none">a. Council Calendarb. Tentative Agendac. Fifth Tuesday Meeting Notes – August 29, 2006 <p>6.3 Appoint Kelly Johnson to the Park and Recreation Advisory Board (PRAB) – Resolution No. 06-55</p> <p>A RESOLUTION APPOINTING KELLY JOHNSON AS A MEMBER OF THE PARK AND RECREATION ADVISORY BOARD.</p> <p>6.4 Approve an Intergovernmental Agreement with Washington County to Share in “Transient Room Tax” Revenues – Resolution No. 06-56</p> <p>A RESOLUTION OF THE CITY OF TIGARD DECLARING AGREEMENT WITH WASHINGTON COUNTY CODE SECTION 3.08.170.B, IN ORDER THAT AN INTERGOVERNMENTAL AGREEMENT MAY BE ENTERED INTO BETWEEN THE CITY OF TIGARD AND WASHINGTON COUNTY FOR THE PURPOSE OF SHARING TRANSIENT ROOM TAX REVENUES</p> <p>6.5 Local Contract Review Board:</p> <ul style="list-style-type: none">a. Approve Contract Awards to Century West Engineering Corporation for Design Services for the Ash Avenue Extension project and the 97th Avenue and 100th Avenue Sanitary Sewer Reimbursementb. Award Contract to Landis & Landis for Construction of Pine Street – Street and Storm Drainage Improvementsc. Approve Amendment No. 2 to the Agreement with Murray Smith and	<p>Motion by Councilor Sherwood, seconded by Councilor Wilson, to adopt the Consent Agenda.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <table><tr><td>Mayor Dirksen</td><td>Yes</td></tr><tr><td>Councilor Harding</td><td>Yes</td></tr><tr><td>Councilor Sherwood</td><td>Yes</td></tr><tr><td>Councilor Wilson</td><td>Yes</td></tr></table>	Mayor Dirksen	Yes	Councilor Harding	Yes	Councilor Sherwood	Yes	Councilor Wilson	Yes
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	<p>Associates, Inc. for Professional Services for 550-Foot Reservoir No. 2</p> <p>d. Purchase Seven Police Patrol Cars from Gresham Ford</p>	
<p>7. Award of Heritage Tree Designations</p>	<p>Park Manager Plaza and City Forester Stine summarized this agenda item for the City Council.</p> <p>Before the City Council is a request to award Heritage Tree designations to two trees: a Douglas Fir located at 8275 SW Ross Street and a Monkey Puzzle tree located at 14530 SW 103rd Avenue.</p> <p>City Forester Stine noted that some of the trees designated as heritage trees may need some work; i.e., pruning, soil treatments, etc. Annually the City anticipates spending no more than \$2,000 on the Heritage Tree Program and these funds will come from the FY 06/07 park operations budget.</p> <p>Councilor Harding had suggested previously that high school students might be asked to help identify heritage trees. If more trees are identified than can be funded for the budget year, an inventory of trees for consideration could be established.</p> <p>City Forester Stine reviewed the trees nominated:</p> <ol style="list-style-type: none"> 1. The Douglas Fir Tree is about 150 years old and is a unique tree. He said it reflects the heritage of the City. 2. The Monkey Puzzle Tree was planted around 1925 per long-time resident Evelyn Nokes. This tree is located near the John Tigard House and is native to South America. <p>In response to an inquiry from Mayor Dirksen, City Forester Stine advised that the Heritage Tree designation is not intended to become a burden to a property owner. In fact, a property owner can request to have the designation removed at any time.</p> <p>Park Manager Plaza suggested that information be added to the City's web page identifying the location of Heritage Trees. Mayor Dirksen suggested a future tour could be offered to view these trees as</p>	<p>Motion by Councilor Wilson, seconded by Councilor Sherwood, to award Heritage Tree designations to the Douglas Fir Tree located at 8275 SW Ross Street, Tigard, Oregon and the Monkey Puzzle Tree located at 14530 SW 103rd Avenue, Tigard, Oregon.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes</p>

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	well as historic buildings.	
8. Consider Acceptance of Matching Funds to Construct Jim Griffith Memorial Skate Park	<p>Park Manager Plaza presented information on this agenda item to the City Council.</p> <p>The City was notified recently that a grant was awarded to the City for the Skate Park if \$150,000 in matching funds would be provided for construction.</p> <p>Funding of the Skate Park will come from Park SDCs, Donations and the Grant.</p> <p>Michael Kent and Chas Caldwell were also present and made comments about their plans to use the Skate Park. These two young people also made the presentation to the State committee responsible for awarding grant money.</p> <p>The Skate Park should be through the permit process in the next 30 days, construction would begin this fall, and the Grand Opening held next summer.</p> <p>Grant money was also received from Tony Hawk who sent a sketch of a couple of ideas to improve the plans for Tigard’s Skate Park. These ideas were incorporated.</p> <p>Donations for the Skate Park would still be appreciated. Tigard was prepared to fully fund the Skate Park if needed; however, because of the grant, more SDC funds can be used to fund other park needs in the City.</p> <p>Councilor Harding noted the growing popularity with this sport over the last several years. This park facility will be well utilized.</p> <p>Mr. Rich Carlson acknowledged a number of contributors over the last five years including Landmark Ford, Tigard Liquor Store, Verizon, GI Joes, and the Tigard Optimists.</p> <p>RESOLUTION NO. 06-57 – A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A \$150,000 STATE OF OREGON LOTTERY</p>	<p>Motion by Councilor Sherwood, seconded by Councilor Wilson, to adopt Resolution No. 06-57.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes</p>

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	LOCAL GOVERNMENT GRANT TO BE USED FOR THE CONSTRUCTION OF THE JIM GRIFFITH MEMORIAL SKATE PARK	
9. Consider Writ of Mandamus Concerning 120-Day Expiration – Longstaff Condominiums (SDR2005-00011)	<p>Community Development Director Coffee presented the staff report.</p> <p>The staff approved the condominium project on June 20, 2006. An appeal was filed on July 6, 2006, the 120-day deadline. The appeal hearing was scheduled for August 28. A Writ of Mandamus was filed on August 24, 2006.</p> <p>Options before the Council were to approve the staff decision or direct the City Attorney to contest the Writ in Circuit Court.</p> <p>Staff and the City Attorney recommended that the City Council approve the staff decision, including all conditions of approval.</p>	<p>Motion by Councilor Sherwood, seconded by Councilor Wilson, to approve the staff decision including all conditions of approval for the Longstaff Condominiums.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes</p>
Adjournment	The meeting adjourned at 8:30 p.m.	<p>Motion by Councilor Wilson, seconded by Councilor Sherwood, to adjourn the City Council meeting.</p> <p>The motion was approved by a unanimous vote of Council present.</p> <p>Mayor Dirksen Yes Councilor Harding Yes Councilor Sherwood Yes Councilor Wilson Yes</p>

Catherine Wheatley
 Catherine Wheatley, City Recorder

Attest:

G. A. D.
 Mayor, City of Tigard

Date: *Sept 26, 2006*
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